

FILED
At Albuquerque NM
MAY 9 2016

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Alberto Moises MACIAS-VALDEZ
and
Jonathan PERALTA-MARTINEZ

Defendant(s)

MATTHEW J. DYKMAN
CLERK

Case No. 16-MJ-2119

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 5/6/2016 in the county of Bernalillo in the
Judicial District of New Mexico, the defendant(s) violated:

Code Section

21 USC 841 (a) (1), (b) (1) (A)

Offense Description

Possession of more than 500 grams of a mixture or substance containing a detectable amount of methamphetamine with intent to distribute

This criminal complaint is based on these facts:

*** SEE ATTACHED AFFIDAVIT ***

Continued on the attached sheet.



Complainant's signature

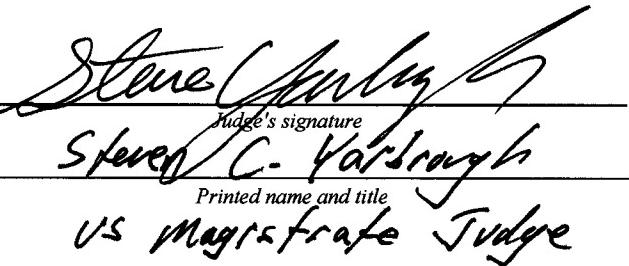
S/A Jarrell W. Perry, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 5/8/2016

City and state: Albuquerque, New Mexico



Judge's signature

Printed name and title

US Magistrate Judge

AFFIDAVIT

On May 6, 2016, S/A Perry reviewed an Amtrak Train Passenger Name Record (PNR) in the names of Jonathan MARTINEZ and Alberto MACIAS, reflecting one-way travel from Flagstaff, Arizona to Kansas City, Missouri which was paid for with \$288.00 in cash one day prior to the date of departure of the Amtrak Train from Flagstaff, Arizona.

On May 6, 2016, Drug Enforcement Administration (DEA) Special Agent (S/A) Jarrell W. Perry and DEA Task Force Officer (TFO) Seth Chavez were at the Amtrak Train Station in Albuquerque, New Mexico when the eastbound Amtrak Train arrived for its regularly scheduled stop in Albuquerque, New Mexico.

S/A Perry boarded the coach section of the Amtrak Train and began speaking with passengers that were aboard the Amtrak Train. S/A Perry approached a male, later identified as Jonathan PERALTA-MARTINEZ, who was seated in his respective seat on the Amtrak Train.

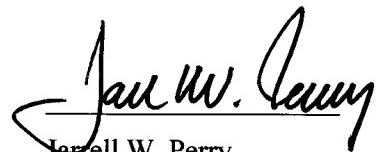
S/A Perry displayed his DEA badge to PERALTA-MARTINEZ, identified himself as a police officer to PERALTA-MARTINEZ, asked for and received permission to speak with PERALTA-MARTINEZ. After a short conversation, S/A Perry asked PERALTA-MARTINEZ to unzip his black jacket that he was wearing. PERALTA-MARTINEZ unzipped his black jacket, which revealed a large bundle concealed underneath of the shirt that PERALTA-MARTINEZ was wearing in his stomach area. S/A Perry knew from his experience that large bundle was consistent with other bundles of illegal narcotics that S/A Perry had observed in the past on passengers that were traveling on the Amtrak Train and Greyhound Bus. S/A Perry handcuffed PERALTA-MARTINEZ and lifted up the bottom of PERALTA-MARTINEZ's shirt, which revealed a clear plastic wrapped bundle concealed to PERALTA-MARTINEZ's stomach and back area. S/A Perry knew from his experience that the clear plastic wrapped bundles were consistent with illegal narcotics.

A few moments later, S/A Perry approached another male, later identified as Alberto Moises MACIAS-VALDEZ, who was standing by the area where PERALTA-MARTINEZ was earlier arrested. S/A Perry displayed his DEA badge to MACIAS-VALDEZ, identified himself as a police officer to MACIAS-VALDEZ, asked for and received permission to speak with MACIAS-VALDEZ. MACIAS-VALDEZ identified a red backpack that he had with him as belonging to him. S/A Perry asked for and received permission from MACIAS-VALDEZ to search his red backpack for contraband. MACIAS-VALDEZ handed S/A Perry his red backpack and began to rapidly walk away from S/A Perry. S/A Perry followed MACIAS-VALDEZ and MACIAS-VALDEZ ran down the stairway, off of the Amtrak Train and into a gravel parking lot towards First Street. S/A Perry took MACIAS-VALDEZ to the ground and the jacket/shirt that MACIAS-VALDEZ was wearing came up around MACIAS-VALDEZ's chest area revealing various clear plastic wrapped bundles wrapped around the waist and back area of MACIAS-VALDEZ. S/A Perry knew from his experience that the bundles were consistent with illegal narcotics. MACIAS-VALDEZ was handcuffed.

PERALTA-MARTINEZ and MACIAS-VALDEZ were transported to the DEA Albuquerque District Office (ADO). At the DEA ADO, TFO Davis and S/A Maestas removed a total of three clear plastic wrapped bundles from PERALTA-MARTINEZ and a total of three plastic wrapped bundles from MACIAS-VALDEZ's body. The three bundles from PERALTA-MARTINEZ were weighed by TFO Davis and S/A Perry for a total weight of approximately 2.70 gross kilograms. The three bundles from MACIAS-VALDEZ were weighed by TFO Davis and S/A Perry for a total weight of approximately 2.75 gross kilograms. S/A Perry knew that based upon his training and experience that this is an amount that is consistent with distribution rather than personal use. TFO Davis cut into one of the bundles from PERALTA-MARTINEZ and one of the bundles from MACIAS-VALDEZ, which revealed a clear crystal like substance. S/A Perry knew from his experience that the clear crystal like substance was consistent with crystal methamphetamine.

TFO Davis and S/A Perry field-tested the clear crystal like substance from one of the bundles from PERALTA-MARTINEZ and one of the bundles from MACIAS-VALDEZ, which revealed a positive reaction for the presence of methamphetamine.

This affidavit is submitted for the limited purpose of providing probable cause to support the attached criminal complaint.



Jarrell W. Perry
Special Agent
Drug Enforcement Administration



United States Magistrate Judge

Agent Perry sworn telephonically and probable cause found on 5/8/16 at 9:20 AM.